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IN THE HIGH COURT OF JUDICATURE AT BOBBY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.3876 OF 2006
IN
SUIT NO.2652 OF 1984

M/s.M.Sadashiv & Co. .. Plaintiffs.
Versus
The Baroda Rayon Corporation
Limited .. Defendants.

Ms.Madhu Hiraskar i/b.Chitnis Vaithy & Co. for
plaintiff.
Mr.Prakash Shinde for applicant.

CORAM : S.C.DHARMADHIKARI, J.
DATE : 27th August, 2007.

P.C.

. I had passed orders in this Motion on
30th July, 2007 and 14th August, 2007, recording
the fact that the plaintiffs are agreeable to
accept 30% of the principal sum/dues in full and
final settlement of its claim, provided the same
is paid with some fixed time schedule.

. Since this is a defendants' Motion for setting aside a Decree passed against them, interest of justice would be subserved if the Notice of Motion is disposed of in the light of the statements of the plaintiffs' Advocate recorded earlier and Undertaking of Mr.Desai, appearing for defendants to pay to the plaintiffs, the agreed sum within a period of 8 weeks from today. Needless to state that if the plaintiffs do not receive the said sum within the time stipulated above, the Notice of Motion to stand dismissed without any orders being granted thereon. In that event, the plaintiffs are entitled to execute the Decree as granted by this Court in accordance with law. No order as to costs.

(S.C.Dharmadhikari, J.)